

Mary Lou Terrien

From: Mary W Manguse <mwmanguse@sbcglobal.net>
Sent: Wednesday, February 24, 2016 11:36 AM
To: Mary Lou Terrien
Subject: Amendment to PA 169

Dear Ms. Terrien,

Following are my comments regarding the proposed Amendment to PA 169. Please provide these to the committee considering the Amendment which is meeting at noon today as my testimony against the Amendment:

I oppose HB 5232 and SB 720 which would amend PA 169 of 1970, the Local Historic Districts Act. In 1996, I bought a house in the Heritage Hill District in Grand Rapids, Michigan, a district on the National Registry of Historic Districts, fully understanding the responsibilities of owning a home in such a district. Maintaining a historic house is not easy (or inexpensive), but it is my way of handing down a piece of history to the next generation.

I understand that there are people who feel that their property rights are restricted if they buy a home in a historic area and then become subject to the rules regarding the preservation of their property. My advice then is don't buy property in a designated historic district or, under these proposed changes to PA 169, force your neighbors who have chosen to buy and preserve a historic property, to undertake a process every 10 years to reaffirm their desire to live in a protected district.

This is my main objection to the proposed changes to this Act. It will affect property in areas that have already been designated historic districts through the legal procedures in effect at the time of the designations. These procedures may have been local, state, federal, or in the case of Heritage Hill, a combination of these authorities. The property owners in the districts at the time of the designation (and those who bought property in the district later) agreed to abide by the restrictions on historic properties.

Don't force the property owners in all historic districts to reestablish their rights to own property in a designated historic district every ten years to assuage some disgruntled property owner or local governmental entity in some historic district somewhere in Michigan. This is a cumbersome and unnecessary undertaking. If you believe that renewal is necessary, establish a procedure that allows a renewal option at the time the district is established, but not a unilateral renewal requirement on all historic districts regardless of when they were established.

As to the current standards regarding exterior maintenance, if you, as a property owner in a historic district, decide that you don't want to abide by the restrictions on the exterior maintenance of your historic building, make your case to the appropriate authority as to why you merit an exemption for your property. If you lose, appeal your case and, if you lose again, be gracious and accept the decision. Currently, Grand Rapids follows the revised federal guidelines and permits the use of modern materials, such as pressure treated wood in areas where it will be hidden by historically appropriate materials, such as sills. There may be some other reasonable changes that could be made in accordance with accepted principles for maintaining the exterior integrity of structures in historic districts.

Finally, consider the unilateral elimination provision and the temptation to a local governing authority to revoke a historic designation. For example, revocation of the historic designation would allow historic properties adjacent to commercially viable properties to be sold and the structures on them to be demolished. The Heritage Hill district in Grand Rapids was established to prevent such demolition.

The changes to the Act may have other unintended consequences and conflicts, such as conflicts between the proposed changes and the rules on districts that are recognized by the National Historic Trust. In my opinion, the changes contemplated to Act 169 require further thought and research.

Thank you for your consideration of my remarks and your service to the State of Michigan.

Mary W. Manguse
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Sent from my iPad